IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6008 OF 2005

Iven Samuel Thomas & Ors. ...Applicants
vs.
The State of Maharashtra ...Respondent

Mr.S.S.Thombare for the Applicant
Ms Rajeshree Gadhvi,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : SEPTEMBER 16,2005

P.C.:

1. Heard Advocate appearing for the Applicants and learned A.P.P. for State.

2. The Sessions Court has granted bail in favour of the Applicants subject to furnishing P.R.Bond in the sum of Rs.10,00,000/- and surety bond in the like amount. Apart from the said conditions, other conditions have been imposed by the Sessions Court.

3. The contention of the Applicants is that bail amount of Rs.10,00,000/- is exorbitant and it is impossible for the applicants to avail of the facility of bail and notwithstanding grant of bail the Applicants may continue to languish in jail.

4. I have considered the submissions. The learned Advocate for the applicants has placed on record a copy of order dated

30th August 2005 passed in Criminal Application No.5470 of 2005 and other similar Applications by this court. By the said order, this Court has modified similar condition imposed by the Sessions Court in cases of co-accused in the same case. The learned A.P.P. on instructions of the Investigating Officer stated for the reasons which are stated while deciding the aforesaid applications, are applicable to this application and therefore these applicants are also entitled to similar relief.

5.In view of this position, I pass the following order :

i) Condition Nos. (ii) to (iv) in the order passed in favour of the Applicants are modified and the said conditions will now read as under :

"ii) The Applicants shall be enlarged on bail on furnishing P.R.Bond in the sum of Rs.75,000/- each with one or two local sureties each in the like amount.

iii) The bail is granted subject to the condition that the Applicants shall not leave the area falling within the jurisdiction of Pune District till the conclusion of trial without permission of the Sessions Court.

iv) The order granting bail will be given effect only after the Applicants surrender their passport to the office of A.C.P. Crime Branch, Pune and only after the Applicants furnish their detailed address of the place where they propose to stay after they are enlarged on bail."

ii) The other conditions stand as it is.

iii) Parties to act upon an authenticated copy of this order.

JUDGE